

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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BMO Harris Bank N.A.,

Case No: 0:22-cv-00435

Plaintiff,

vs.

**MOTION OF  
DEFENDANT JOHN STEDMAN**

Kenneth Kuskie, John Stedman,  
Susan Stedman and Curtis A. Hayes,

Defendants.  
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TO: All parties and their counsel:

**MOTION**

Pursuant to FRCP 12 (b)(6), Defendant John Stedman moves for judgment of dismissal as to all claims set forth against him in Counts IV, V, VI, and X of the Complaint on the grounds that the statutory claims set forth in Counts IV, V, and VI are barred by the provisions of Minn. Stat. §302A.551, Subd. 3(d) and that the common law breach of fiduciary duty claim set forth in Count X fails to state a claim upon which relief can be granted.

Dated: 04/18/2022

/s/ James T. Martin  
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